

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF OHIO

3 WESTERN DIVISION

4

|    |                           |   |            |
|----|---------------------------|---|------------|
| 5  | _____                     | ) |            |
|    | SAVANNAH COLLEGE OF ART & | ) |            |
| 6  | DESIGN, INC.,             | ) |            |
|    |                           | ) |            |
| 7  | Plaintiff,                | ) |            |
|    |                           | ) |            |
| 8  | vs.                       | ) | CASE NO.   |
|    |                           | ) | C-1-02-490 |
| 9  | PHILLIPPE HOUEIX,         | ) |            |
|    |                           | ) |            |
| 10 | Defendant.                | ) |            |
|    |                           | ) |            |
| 11 | _____                     | ) |            |

12

13

14 Deposition of: PHILLIPPE HOUEIX

15 Pursuant to: Notice

16 Date and Time: Thursday, January 29, 2004  
9:30 a.m.

17

18 Place: Porter, Wright, Morris & Arthur,  
LLC  
Suite 2200  
250 East 5th Street  
Cincinnati, Ohio 45202

20

21 Reporter: Linda Mallory, RMR, CRR  
Notary Public - State of Ohio

22 Videographer: Bruce Sandy, CLVS

23

24

25

1 that is very typical of this college.

2 Q. Your relationship with SCAD at that point was  
3 much worse than it had been a year before?

4 A. Not worse. I don't think it was worse. I  
5 think, what it was, it just -- I had absolutely no --  
6 it was just a low profile for me. I was just trying to  
7 keep my status visa in order because I was the only one  
8 to have a status visa and I was completely trapped in  
9 this college. I couldn't do anything else.

10 Q. You told SCAD by that point that the first  
11 opportunity you had to leave, you would leave?

12 A. Yes. Because when I sign my contract,  
13 there's new clauses that were added to the contract  
14 that said, if you leave before, you have to repay  
15 \$5,000. And when I saw this article in the new  
16 contract that I was to sign, I asked the human  
17 resources if she could remove that because she knew  
18 that I would not stay very long in their college.

19 And so I explain to her that maybe I won't be  
20 able to carry on this contract up to the end and asked  
21 her if it was possible to remove this clauses.

22 Q. And she said no, we can't remove it but,  
23 since you've given us enough notice, if you don't teach  
24 winter quarter, we will not hold the \$5,000 clause --

25 A. Yes.

1 architectural program, which is accredited.

2 Q. Was that accredited when you were there?

3 A. I think they just succeeded when I arrive in  
4 '99 to be accredited.

5 Q. After Crystal Weaver became dean, which I  
6 think would have covered the 2000-2001 school year,  
7 right?

8 A. Yes, I think she was -- in September 2000, I  
9 think, something like that, yes.

10 Q. How often during that school year did you  
11 meet with her?

12 A. Maybe three, four times.

13 Q. Three, four times total?

14 A. Yes.

15 Q. About what sorts of things?

16 A. I met one time when my wife was terminated.  
17 And I ask her what will happen to me and she said that  
18 she didn't know. Otherwise, I used to meet her with  
19 the faculty meeting we had.

20 And that's all because, after November 2000,  
21 I just did not exist. Just do my classes and very low  
22 profile because I was very scared of what could happen  
23 to me. I was extremely scared.

24 Q. You felt like your wife's termination was  
25 unwarranted?

1           A.    Yes.  And it was, because she won her  
2   lawsuit.

3           Q.    And you were afraid that you were going to  
4   get terminated, too?

5           A.    Exactly.

6           Q.    Did anybody ever tell you that you were in  
7   jeopardy or threat of being terminated?

8           A.    I think I was feeling this threat because, in  
9   the department in interior design, two other professor  
10  had been fired the year after, before me, the year when  
11  I was -- when I was there the first year, between '99  
12  and 2000, two faculty member were fired.

13          Q.    At the end of the '99-2000 school year?

14          A.    No, during the year.

15          Q.    During the school year?

16          A.    And with no real reason.

17          Q.    Who was that?

18          A.    Peter Dunn was fired in the complete middle  
19  of the quarter.

20          Q.    Peter Dunn?

21          A.    Dunn.

22          Q.    D-u-n-n?

23          A.    D-u-n-n.

24          Q.    And you don't know anything about the reason  
25  for that?

1           A.    No.  What I know, he told me that he signed a  
2    release form and it was conversation by the person and  
3    he told me that the person told that he has two choice,  
4    he sign the release form and he can get some money or  
5    anyway will be fired with no compensation.  So he  
6    decided to sign and leave.

7           Q.    Did he say who that conversation was with?

8           A.    I think it was with the human resources, but  
9    I don't know exactly who, which member were there.

10          Q.    Okay.

11          A.    It's always the same type of team, I think.

12          Q.    Who is the other faculty member who was  
13    terminated?

14          A.    Peter Sillis.

15          Q.    What was the last name?

16          A.    S-i-l-l-i-s.

17          Q.    Do you know anything about Professor Sillis'  
18    termination?

19          A.    He was terminated between two quarter, during  
20    the week that was between, I think, the winter quarter  
21    and the spring quarter.  I knew that he was waiting for  
22    his green card.  I don't know why he was terminated.  
23    The only thing I know is the fact that they were there  
24    for a long time and I think SCAD wanted to get rid of  
25    them and so they get rid of them.

1 Q. Did you look at other cities as possible  
2 places to move?

3 A. I think the interest of -- the way -- I think  
4 as everything was in jeopardy in Savannah, you know,  
5 because I think all our life was completely in jeopardy  
6 so we have completely to rethink our future. And I  
7 think what is more important for us is the interest to  
8 the work. So the most interesting place would be where  
9 we would be living. That decision has been made only  
10 on the interest of the position.

11 Q. In the fall of 2000, after SCAD had told you  
12 you needed to enroll in the master's program and had  
13 said you could enroll in two classes per quarter if you  
14 signed the repayment agreement, you enrolled in a  
15 couple of classes, right?

16 A. Yes, I had to enroll in the classes.

17 Q. And do you recall what those classes were at  
18 the start of the fall of 2000?

19 A. I think it was a lecture, which is kind of  
20 history of interior design. And the other classes is  
21 studio, I don't recall the number exactly.

22 Q. Interior Design Seminar and Interior Design  
23 Studio One?

24 A. Uh-huh.

25 Q. You signed up for those two classes?

1 A. Yes.

2 Q. Did you work with the text The Interior  
3 Dimension by Malnar and Vonvarka?

4 A. No.

5 Q. Have you ever heard of that book?

6 A. No.

7 Q. Have you ever read anything out of that  
8 book?

9 A. No.

10 Q. Did you submit any work in connection with  
11 the interior design studio or interior design seminar  
12 class to Dean Weaver?

13 A. No.

14 Q. Did you do anything in connection with the  
15 interior design seminar class?

16 A. I did nothing.

17 Q. Didn't write a single sentence?

18 A. (Shaking head.)

19 Q. No?

20 A. No.

21 Q. Did you ever attend any class or any meeting  
22 with Dean Weaver about that interior design seminar?

23 A. No.

24 Q. During the 2000-2001 school year, did you  
25 work on a Palmer Johnson yacht design competition?

1 supported by poles, you know, around. And they wanted  
2 to re-design the poles of this swimming pools.

3 Q. Re-design the poles?

4 A. Yes. You know, re-design the look and the  
5 aspect and try to find some new, more attractive aspect  
6 of this fabrication. So I just work on that and bring  
7 a project to them. So they were pleased with the  
8 project after -- just a question of how much money they  
9 could spend on the project, so it didn't go up to the  
10 end. But the project was done and I think they were  
11 pleased with the project.

12 I think this is why, after I was connected  
13 with France -- because people in France also were  
14 interested by this project and so they make me work on  
15 other type of project for them.

16 Q. And ultimately, that led to the relationship  
17 you've got now with Zodiac?

18 A. Yeah.

19 Q. Let me go back for a minute to the fall  
20 quarter of 2000, where you were enrolled in the  
21 interior design seminar as a graduate student as part  
22 of your master's program, your enrolled in interior  
23 design studio one, but your testimony is you didn't do  
24 any work in connection with either one of those  
25 classes?



1 A. Yeah.

2 Q. Is that correct?

3 A. Yeah.

4 Q. And you never met with Dean Weaver about  
5 those classes?

6 A. Yes, I met with her.

7 Q. You met with her?

8 A. Yes. I asked her many time what should I do.  
9 Because I raise the question because one of the classes  
10 was at the same time that my teaching schedule. So  
11 physically, I couldn't --

12 Q. You couldn't teach one class and attend  
13 another?

14 A. Attend the other one.

15 Q. So you asked Dean Weaver what do I do?

16 A. What do I do.

17 Q. What did she say?

18 A. During the two weeks, I didn't have any  
19 answer. And then she -- I try to -- myself, again, as  
20 I think I try to be an entrepreneurial person, so I try  
21 to organize my work because I didn't want to waste  
22 time, I just wanted to make sure that everything was on  
23 track.

24 So I imagine a project for myself to be able  
25 to do because the idea is to be able to build a project

1 up to a thesis.

2 Q. Up to?

3 A. A thesis. In a master degree you have to --

4 Q. A thesis. I'm sorry, I wasn't understanding  
5 the word.

6 A. So what I was thinking is try to imagine to  
7 build a body of work that could be sliced, you know, in  
8 different aspect that could fit each classes, you know,  
9 so I could bring works on a body of work what is  
10 consistent. So I try to think about a project that I  
11 can do during that year that could satisfy all the  
12 requirement of each classes.

13 So I met with Dean Crystal Weaver, that was  
14 before to start the classes and say that I was  
15 interested maybe to work on one of the building that  
16 SCAD own that they don't use because, for the moment,  
17 they don't have maybe the financing to redo it or  
18 whatever, which is still there, but nothing.

19 And so I did ask Crystal Weaver if I could do  
20 this kind of project. And for that, I needed a floor  
21 plan, I needed maybe to define all that together to  
22 make sure that -- but all that preparation work that I  
23 did, I never had any answer from the chair of the  
24 department, the dean, Crystal Weaver.

25 Because they were not responding to my demand

1 because -- even I sent, I think, two weeks after the  
2 class begin, I was very nervous because I was not  
3 attending class, I didn't start any project and so I  
4 wanted really to know what was going on.

5 And so I asked Crystal Weaver really what  
6 should I do. And at the end, she let me understand  
7 that just don't sweat on anything, just focus on your  
8 teaching and that's all. So I didn't do -- I didn't go  
9 anything further, you know.

10 Q. Did the college get you a copy of the  
11 floorplan and architectural drawings for that  
12 building?

13 A. No.

14 Q. Your testimony is that Dean Weaver told you  
15 concentrate on teaching?

16 A. She told me word by word, don't sweat on it  
17 and focus on teaching. That's it.

18 Q. After the fall quarter ended, did you get a  
19 grade report from SCAD?

20 A. Yeah, and that was my most surprise because  
21 it's true that, at the end of the quarter, just try to  
22 imagine my family life at that time. So I was -- I was  
23 obliged to register in the master degree. My wife just  
24 got terminated.

25 Q. She got terminated in late November of 2000,

1 correct?

2 A. Yes.

3 Q. The quarter ended probably December 10th or  
4 something?

5 A. No, because they fired her the last day of  
6 class. So it's much better for them to fire people  
7 because they've got a break to smooth the process.

8 So it's true that I was -- all our life was  
9 just completely in jeopardy. She was not paid her  
10 last pay. Also, I think, two paycheck was not paid.  
11 We had only one wages. She lost, automatically, her  
12 visa status.

13 So it's true that, starting at that point,  
14 you know, I think we try really hard to imagine what we  
15 could do to move on, you know. And that was my main  
16 focus.

17 And it's true that when I receive my grade, I  
18 just laugh. It started to be even more crazy, you  
19 know, to receive grades for class that you don't take,  
20 that you don't do any work on it and you've got  
21 grades.

22 Q. What grades did you receive on your grade  
23 report?

24 A. Two A, I think.

25 Q. Did you go to Dean Weaver and question her

1 about that?

2 A. No. I went to Dean Weaver to know what was  
3 the next step for me, if I would be fired or not.

4 Q. She told you no, right?

5 A. Right.

6 Q. She said what happened to Natalie has nothing  
7 to do with you?

8 A. Exactly.

9 Q. Did you ask her about the grades?

10 A. No.

11 Q. Did you ask her about --

12 A. I didn't ask any question.

13 Q. Okay.

14 A. Because it not worth it.

15 Q. Did you ask anybody about what classes were  
16 next or is the master's program pretty well set out  
17 that you do design studio one and then interior design  
18 studio two is next?

19 A. As I told you, as I was obliged to register  
20 in the master's degree, I had defined during the  
21 meeting that we had with vice-president of academic  
22 affair, Crystal Weaver, we have decided all the  
23 different class that I should register.

24 Q. You set out the whole program at that  
25 meeting?

1           A.    At that meeting.  So I knew that I should  
2   register in that class, that class.  So --

3           Q.    There was no need to discuss it any  
4   further?

5           A.    Anything.  That was part of my contract, to  
6   register the class.  So I had to register the class.

7           Q.    And it's your testimony today that, for  
8   electronic design one, you didn't attend any classes?

9           A.    Yes.

10          Q.    You didn't turn in any projects?

11          A.    Yes.

12          Q.    You didn't do any work that you understood to  
13   be as a graduate student in that class?

14          A.    I didn't do any work.

15          Q.    Is the same true for interior design studio  
16   two?

17          A.    Exactly the same.  And for all the classes.

18          Q.    Okay.  In the spring quarter of 2001, you  
19   were enrolled in interior design studio three, which is  
20   the master's thesis, and the class called professional  
21   practice.  Did you turn in any work in connection with  
22   any of -- either of those classes?

23          A.    Nothing.

24          Q.    In connection with your Muskin work --

25          A.    Yes.

1 Q. Natalie did appeal?

2 A. Yes, we did appeal the decision. So we went  
3 back all the process. We wrote everything to be in  
4 track with the application, so we thought that it would  
5 be -- normally things should come back to the normal.  
6 And then we just discover how everything was fake, you  
7 know. Because the whole process was just to make you  
8 lose some more time.

9 But it was already the same person that would  
10 review your things. So, you know, it's only a handful  
11 of people that administrate the school and they just do  
12 whatever they want, just regardless of even the paper  
13 they make you sign.

14 Q. So Natalie didn't get anywhere with her  
15 appeal of her termination?

16 A. No. She had exactly the same committee in  
17 her appeal that she had -- that the people that were  
18 firing -- terminating her with no reason.

19 Q. Okay. So because of her experience with  
20 that, you didn't ever make any appeal on your grades?

21 A. No, because I think it was useless to do  
22 that. I think this institution has not the character  
23 and integrity and honesty that should be in this kind  
24 of schools.

25 Q. So you never complained to Dean Weaver

1 A. Yeah. So --

2 Q. And in your mind, that meant as soon as you  
3 had employment permission for Natalie that would allow  
4 you to quit and be under H-4 status under her?

5 A. That was one of my main concerns, yes. And  
6 also the fact that I was, once again, doing things that  
7 I was -- which was completely illegal. So it's true  
8 that I couldn't stand anymore to be like that.

9 Q. Your reference to doing something illegal is,  
10 again, a reference to the master's program?

11 A. Yes.

12 Q. Other than the master's program classes and  
13 grades, you didn't have any other activity at SCAD that  
14 you felt was illegal that you were asked to participate  
15 in, did you?

16 A. No.

17 (Plaintiff's Exhibit Number 20 was marked for  
18 identification.)

19 Q. Mr. Houeix, let me ask you to look at Exhibit  
20 20, please. That's a letter from a Kirby Mason to you,  
21 correct?

22 A. Correct.

23 Q. Dated October 8th. So three or four weeks  
24 after you resigned from SCAD, correct --

25 A. Yes.